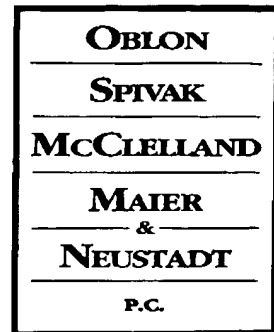


SEP 13 2006 10:30

US PATENT & TRADEMARK  
OFFICE

September 13, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE  
2051 Jamieson Avenue  
Suite 300  
Alexandria, VA

ATTORNEYS AT LAW  
KATHLEEN A. MORSBERGER  
CONTROLLER  
(703) 412-6494  
KMORSBERGER@OBLON.COM

Attn: Refund Department

Re: Deposit Account Number 150030

Dear Sir or Madame:

Enclosed is a copy of a portion of our Deposit Account Statement of June 2006. Please review the highlighted charge on **Serial Number 09/961, 255 in the amount of \$30.00 on fee code number 1252.**

This charge is inappropriate as the Petition for Two Month Extension of Time originally filed on October 14, 2003 was misplaced within the PTO. The attached Decision to the Petition to Withdraw the Holding of Abandonment confirms that the Petition was filed timely before being misplaced within the Agency. At the time the Extension was filed the \$420 fee was included and charged to our Deposit Account. The Office has now charged an additional \$30 as the fee increased on April 1, 2006. As the Extension was filed timely in 2003, it is inappropriate for the Office to charge additional fees.

Please review this application and kindly refund **\$30.00** to deposit account number **150030**. Copies of the appropriate paperwork are attached. If you have any questions, please contact Scott Lohr at (703) 412-6472. Thank you for your assistance.

Sincerely,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Scott Lohr

Enclosure: Deposit Account Statement



United States  
Patent and  
Trademark Office

MASTER

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Online  
Shopping  
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**Deposit Account Statement**

Requested Statement Month:

Deposit Account Number:

Name:

Attention:

Address:

City:

State:

Zip:

Country:

JULY 2006

150030

NORMAN F. OBLON

1940 DUKE STREET

ALEXANDRIA

VA

22314

UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
✓ 06/01	3	097433	26 039 US0	1202	\$300.00	\$20,715.71
06/01	12	10543930	276244US0PCT	1615	-\$650.00	\$21,365.71
✓ 06/01	12	0553124	279689US0XPGT	1615	\$50.00	\$21,315.71
06/01	108	11443217	291721US8	1011	\$300.00	\$21,015.71
06/01	109	11443217	291721US8	1111	\$500.00	\$20,515.71
06/01	110	11443217	291721US8	1311	\$200.00	\$20,315.71
06/01	111	11443217	291721US8	1201	\$200.00	\$20,115.71
06/01	112	11443217	291721US8	1051	\$130.00	\$19,985.71
06/01	113	11443217	291721US8	1081	\$250.00	\$19,735.71
06/01	172	11311239	283282US/KQU	8007	\$20.00	\$19,715.71
06/01	173	11311239	283282US/KQU	8013	\$25.00	\$19,690.71
06/02	1	11443217	291721US8	1011	-\$300.00	\$19,990.71
✓ 06/02	24	09565958	05574968US0	1806	\$180.00	\$19,810.71
06/02	2	11443217	291721US8	1111	-\$500.00	\$20,310.71
06/02	3	11443217	291721US8	1311	-\$200.00	\$20,510.71
06/02	4	11443217	291721US8	1201	-\$200.00	\$20,710.71
06/02	5	11443217	291721US8	1051	-\$130.00	\$20,840.71
06/02	6	11443217	291721US8	1081	-\$250.00	\$21,090.71
06/05	1	0792607	245526US2	1806	\$180.00	\$20,910.71
✓ 06/05	2	09585870	203744US	1202	\$90.00	\$20,820.71
06/05	27	11418218	290097US0	1202	-\$150.00	\$20,970.71
06/05	123	11230473	275538US6CONT	1814	\$130.00	\$20,840.71
06/05	124	10278493	282692US	1251	\$120.00	\$20,720.71
✓ 06/05	152	11445382	291998US23DIV	1201	\$800.00	\$19,920.71
06/05	195	10416882	236616US0PCT	1202	\$500.00	\$19,420.71
06/06	2	09961233	273954US2	1252	\$30.00	\$19,390.71
✓ 06/06	3	10937555	258838US0CONT	1806	\$180.00	\$19,210.71

OK  
OK



UNITED STATES PATENT and TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
WWW.USPTO.GOV

rld

Mailed:

5/6/05

In re application of

Bernard Dieny

Serial No. 09/961,255

Filed: September 25, 2001

For: Spin Valve Device with Spin-Dependent,  
Specular Electronic Reflection

DECISION ON  
PETITION

This is a response to the PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT filed June 30, 2004. The petition requests that the abandonment, as set forth in the Notice of Abandonment of May 4, 2004, for failure to timely file a proper reply to the Office letter mailed on July 11, 2003 be withdrawn. The requester asserts that a timely response was filed on December 11, 2003.

**DECISION**

The instant request has been accepted as a petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 (no fee) - no abandonment-in-fact. A review of the USPTO application file reveals that applicant's response was properly filed on December 11, 2003 in view of the fact that the originally filed papers have been located in the USPTO application file. Accordingly, applicants reply in the form of a two month extension of time, a Request for Continued Examination and request for entry of the after final amendment filed October 14, 2003, has been entered. The prior holding of abandonment is hereby vacated, and the application has been returned to pending status. The application shall be returned to the LIE for entering of the Request for Continued Examination. After such is completed, the case will be returned to the examiner for prompt consideration.

The Petition is GRANTED.

Jacqueline Stone, Director  
Technology Center 1700  
Chemical and Materials Engineering

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA VA 22314

Docket No.: 213954US2



COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Bernard DIENY

SERIAL NO: 09/961,255

FILED: September 25, 2001

FOR: SPIN VALVE DEVICE WITH SPIN-DEPENDENT, SPECULAR ELECTRONIC REFLECTION

GAU: 1773

EXAMINER: Nikolaš UHLIR

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

Linked to OPTMS	
12/12/03	213954US
DATE	CASE ID

SIR:

This is a request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

Submission required under 37 C.F.R. §1.114

Previously Submitted:

- ☒ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on October 14, 2003
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on

Enclosed:

- ☐ Amendment/Reply
- ☐ Information Disclosure Statement (IDS)
- ☒ Other: Petition for Extension of Time (2 Months)

RECEIVED  
JUL 02 2004  
TC 1700

FEES	RATE	CALCULATIONS
<input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of months.	\$130.00	\$0.00
<input checked="" type="checkbox"/> RCE Fee required under 37 C.F.R. §1.17(e)	\$770.00	\$770.00
<input checked="" type="checkbox"/> A TWO MONTH EXTENSION OF TIME IS REQUESTED		\$420.00
<input type="checkbox"/>		\$0.00
TOTAL OF ABOVE CALCULATIONS:		\$1,190.00
<input type="checkbox"/> REDUCTION BY 50% FOR FILING AS SMALL ENTITY		\$0.00
TOTAL:		\$1,190.00

- ☒ A check in the amount of \$1,190.00 is enclosed
- ☐ Credit card payment form is attached to cover the fees in the amount of \$0.00
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 CFR 1.136, and any additional fees required under 37 CFR 1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate of this sheet is enclosed.

Respectfully Submitted,

OBLON, SHIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Gregory J. Maier

Registration No. 25,599

Customer Number

22850

Tel. (703) 413-3000

Fax. (703) 413-2220

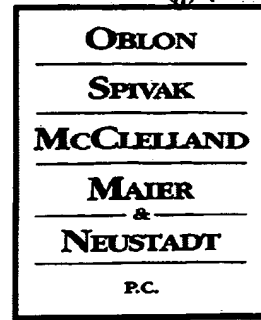
I:\USER\MACIC\PROSECUTION\213954US.RCE.DOC

Robert T. Pous  
Registration No. 29,099



Docket No.: 213954US2

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

MARVIN J. SPIVAK  
(703) 413-3000  
MSPIVAK@OBLON.COM

RE: Application Serial No.: 09/961,255  
Applicants: Bernard DIENY  
Filing Date: September 25, 2001  
For: SPIN VALVE DEVICE WITH SPIN-DEPENDENT,  
SPECULAR ELECTRONIC REFLECTION  
Group Art Unit: 1773  
Examiner: UHLIR, Nikolas J.

SIR:

Attached hereto for filing are the following papers:

**Awaiting Further Action Status Request (in duplicate)**

Our check in the amount of \$0 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Adjustment Date: 09/26/2006 SDIRETA1  
06/06/2006 NHENSLEY 00000002 150030 09961255  
01 FC:1252 30.00 CR

09/26/2006 SDIRETA1 00000005 150030 09961255  
01 FC:1252 10.00 DA


Customer Number

**22850**

(703) 413-3000 (phone)  
(703) 413-2220 (fax)

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Marvin J. Spivak  
Registration No. 24,913

Surinder Sachar  
Registration No. 34,423

12/12/2003 MGE BREM1 00000082 09961255

02 FC:1252 420.00 OP